

REMARKS

The present amendment is submitted in response to the Office Action mailed July 239 2008. Claims 1-15 remain in this application. Claims 1-12 and 14-15 have been amended. In view of the amendments above and the remarks to follow, reconsideration and allowance of this application are respectfully requested.

Objections to the Specification

In the Office Action, the Specification was objected to for failing to include section headings. Applicants respectfully decline to add headings as they are not required in accordance with MPEP §608.01(a).

Claim Objections

In the Office Action, Claims 1-15 were objected to for including numbers referring to the drawings. Applicants respectfully decline to remove numbers referring to the drawings in accordance with MPEP §608.01(m). MPEP §608.01(m) states that reference characters corresponding to elements recited in the detailed description and the drawings may be used in conjunction with the recitation of the same element or group of elements in the claims. The reference characters, however, should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. The use of reference characters is to be considered as having no effect on the scope of the claims

Claim Rejections under 103**Claims 1-15 are Allowable**

The Office has rejected claims 1-15 at paragraph 6 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over EP 1024626 A1 (“Hermann”) in view of EP 0843425 (“Coppersmith”). Applicants respectfully traverse the rejections.

A. Claims 1-13

The cited portions of Hermann and Coppersmith, individually or in combination, fail to disclose or suggest the specific combination of claim 1. For example, the cited portions of Hermann do not teach a first portable unit (1) comprising a memory (3) for storing a worldwide unambiguous key record (4) provided for short-range information transmission of the key record (4) to at least one apparatus (2) of the network, as in claim 1.

Applicant's respectfully point out that the first portable unit (1), as recited in the claims, is not one of the devices (apparatus) of the network. Rather, the first portable unit serves to install the key record (4) (comprising the secret key) in each device (apparatus) of the network for providing a security system for the network. (*See Specification, page 3*). The process of installing the record key into each network device, via the first portable unit, is preferably performed during a configuration stage, prior to the network devices conducting communications between each other during an operational stage. It is noted that the first portable unit does not participate in such communications during the operational stage. Hence, its services are no longer required at this stage.

Claim 1 differentiates the different functionality of the first portable unit (1) and the apparatus (2) of the network. Specifically, Claim 1 recites that the **apparatuses of the network** comprise **an interface** including, at least one receiving unit, a receiver and an evaluation component, for receiving the key record from the first portable unit (1). Claim 1 further recites, "a first transmitter (6) provided for short-range information transmission of the key record (4) to at least one apparatus (2) of the network." Applicant's respectfully point out that the first portable unit (1) does not include an interface for receiving a key record because it only performs a distribution function of distributing (installing) the key record at least one apparatus (2) of the network. Accordingly, it does not require an interface for receiving the key record.

It is instructive to briefly review principles of the invention to highlight the different functionality of the first portable unit (1) and the network apparatus. The first portable unit (1) transmits the key record to at least one apparatus (2) of the network during a configuration stage. In this manner, the key record is supplied from the first portable unit (1) to each apparatus, via a short range transmission, which is free from interception from unauthorized persons. Each apparatus of the network comprises a radio interface for transmitting useful data as well as a receiving unit for receiving a key record from the first portable unit. To secure the useful data traffic between the apparatuses, the key record is supplied free from interception to each apparatus. Hence, each apparatus acquires a secret shared key to encrypt/decrypt useful data and/or authentication. During a configuration stage, the first portable unit (1) uses a technology for transmitting the key record having a very short range and a strong local boundary (e.g., infrared). Claim 1 recites, *inter alia*, "...provided for short-range information transmission of the key record (4) to at least one apparatus (2) of the network..." Transmission is effected by either pressing a button when using a radio frequency transponder and also by simply placing the portable unit in the vicinity of the receiving unit. Once the apparatuses of the network have acquired the key record from the first portable unit during the configuration stage, the services of the first portable unit are no longer required during the subsequent operational stage unless a new apparatus is to be joined to the network or an old apparatus is to be removed from the network.

In contrast, Hermann discloses that a user 7 wishing to setup an authenticated session 8 for the exchange of information between a first device 1 that is situated in the user's hand and a second device 2 that is in the user's proximity, proceeds by the user 7 physically pointing with the first device 1 in the direction of the second device 2 in order to initiate a connection. (*See* Hermann, paragraph [0044]). It should be understood that devices 1 and 2 of Hermann are both network devices. That is, there is no teaching or suggestion in Herman of a first portable unit (1) for installing a key record in each network device during a configuration stage. Instead, teaches the transfer of encryption

information between respective devices of the network by applying a “secure channel” approach during an operational stage. The approach taught in Hermann uses an extra communication link (3) (i.e., a proximity wireless link) with relevant properties making eavesdropping virtually impossible. The first device of the network generates the encryption information, transfers it to the second device and afterwards, the respective devices use the encryption information to securely communicate with each other over the insecure medium (4).

Coppersmith is cited by the Office for remedying a deficiency in Hermann. Specifically, Coppersmith is cited for teaching a memory for storing an unambiguous key. (*See* Coppersmith, col. 20, lines 23). However, Coppersmith does not disclose a first portable unit (1) comprising a memory (3) for storing a worldwide unambiguous key record (4) provided for short-range information transmission of the key record (4) to at least one apparatus (2) of the network, as in claim 1. Hence, claim 1 is allowable.

Claims 2-13 depend from claim 1, which Applicants have shown to be allowable. Accordingly, claims 2-13 are also allowable, at least by virtue of their dependence from claim 1.

Further, the combination of the cited portions of Hermann and Coppersmith do not disclose or suggest wherein the key record (4) is supplied by the first portable unit (1) during or before a network configuration, particularly an automatic network configuration, of an apparatus (2). For this additional reason, claim 8 is allowable.

B. Claims 14-15

Independent Claims 14 and 15 recite similar subject matter as Claim 1 and therefore contain the limitations of Claim 1. Hence, for at least the same reasons given for Claim 1, Claims 14 and 15 are believed to be allowable over Hermann and

Coppersmith in any reasonable combination. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) and allowance of Claims 14 and 15 is respectfully requested.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-15 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Mike Belk, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-945-6000.

Respectfully submitted,



Michael A. Scaturro
Reg. No. 51,356
Attorney for Applicant

Mailing Address:
Intellectual Property Counsel
Philips Electronics North America Corp.
P.O. Box 3001
345 Scarborough Road
Briarcliff Manor, New York 10510-8001